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To:	U.S. Patent & Trademark Office	From:	Anton J. Hopen
Attn:	Michael J. Hayes - Art Unit 3763	Client:	1372.17
Fax:	(703) 872-9303	Pages:	3 including coversheet
Phone:	(703) 305-5873	Date:	May 21, 2004
Re:	USSN 09/772,561	CC:	University of South Florida (Assignee)

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Dear Examiner Hayes:

In response to the Advisory Action mailed April 14, 2004, we enclose the following:

- 1) Request for Continued Examination Form PTO/SB/30 with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated May 21, 2004 - (1 page); and
- 2) Credit Card Payment Form PTO-2038 in the amount of \$440.00 to cover the filing fee for a Request for Continued Examination under 37 CFR 1.17(e) and an extension fee for a response withing the first month under 37 CFR 1.17(a)(1) - (1 page).

Very respectfully,

Anton J. Hopen
Reg. No. 41,849

05/25/2004 HTECHL01 00000135 09772561

02 FC:2251

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PTO/SB/30 (09-03)
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Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/772,561
Filing Date	04/14/2004
First Named Inventor	Mark J. Jaroszeski
Art Unit	3763
Examiner Name	Michael J. Hayes
Attorney Docket Number	1372.17

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This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
- ii. ☒ Other Amendment AF previously filed on March 19, 2004
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s) Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to

- a. ☐ Deposit Account No. _____
- i. ☒ RCE fee required under 37 CFR 1.17(e) 05/25/2004 HTECKLU1 00000135 09772561
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 385.00 DP
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- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ 01 FC:2801 385.00 DP
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Anton J. Hopen	Registration No. (Attorney/Agent)	41,849
Signature	<i>Anton J. Hopen</i>	Date	May 21, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Barbara Praza	Date	May 21, 2004
Signature	<i>Barbara Praza</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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